

July 28, 2014

via email

Jennifer T. Anderson, Esq.
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Re: Unlawful Usage of CHIROCAROLINA™ Service Mark

Subject to FRE 408

Dear Jennifer:

As requested by your email dated July 17, 2014, below please find more information about the seven instances of actual confusion we outlined in our letter dated June 24, 2014.

- The patient who mistakenly called Dr. Williams' office and asked about the extensive insurance options advertised on our client's website, and was reportedly told by Dr. Williams' office that they also take a variety of insurances and invited to make an appointment with his office, called on June 16, 2014.
- The patient who called Dr. Williams' office inquiring about research publications authored by our client and showcased as press releases on our client's website and was reportedly told by Dr. Williams' office that the research was conducted by Dr. Williams and was invited to make an appointment with his office, called on May 27, 2014.
- The three former patients who called Dr. Williams' office thinking that our client had a new location in Taylorsville because they were living nearby, and were each reportedly told by Dr. Williams' office that it was a new location of our client's practice, and invited to make an appointment with Dr. Williams' office, called on May 19, 2014 (2 instances) and May 16, 2014.
- The patient who called inquiring about Dr. Ali's participation in the OrthoCarolina Oscar Miller Day symposium and involvement with orthopedics on research papers, and was reportedly told by Dr. Williams' office that Dr. Williams was invited to this event, and invited to make an appointment with his office, called on May 9, 2014.
- The patient who called Dr. Williams' office inquiring about our client's VA Hospital Satellite Clinic and treatment for Veterans, and was reportedly told by Dr. Williams' office that Dr. Williams was also on staff at the VA, that his office was a satellite treatment office, and was invited to make an appointment with his office, called on May 9, 2014.

We again request that your client immediately provide us with assurances that he will: (a) cease and desist from his unlawful use of our client's CHIROCAROLINA mark as requested in our initial letter; (b) identify to us: i) all persons who have contacted Dr. Williams' office and

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referenced or inquired about Dr. Ali and/or his CHIROCAROLINA practice; and ii) all instances in which a customer or patient (existing, former or prospective) has referenced or inquired about Dr. Ali or his practice's CHIROCAROLINA mark with Dr. Williams' office in any way; and (c) identify to us all sales derived from Dr. Williams' business since his adoption of the CHIROCAROLINA designation.

Please let us have your response within seven (7) days of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Hsia", with a stylized flourish at the end.

Sarah Hsia

cc: Jason M. Sneed, Esq. (by email)